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C O N F I D E N T I A L SECTION 01 OF 02 AMMAN 009243

SIPDIS

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TAGS: PTER ASEC KTFN JO

SUBJECT: JORDANIAN AUTHORITIES TURN UP THE HEAT ON ZARQAWI NETWORK

REF: A. AMMAN 8601

B. AMMAN 7960

C. AMMAN 5278

D. AMMAN 3303

Classified By: Acting DCM Christopher Henzel or reasons 1.4 (b) and (d)

SUMMARY

11. (U) Jordanian authorities have issued an ultimatum to convicted terrorist Abu Musab al-Zarqawi, demanding that he turn himself in within ten days to face terrorism conspiracy charges. Meanwhile, the State Security Court sentenced Bilal Hiyari, a Zarqawi fundraiser, to six months in jail, but he was ordered released, having already served the time in prison. However, a witness in Hiyari's case was indicted on charges that he conspired with Zarqawi to target Jordanian interests in Iraq. Zarqawi's family in Jordan told reporters that one of his nephews caught trying to infiltrate Iraq to join him is in the custody of Jordanian officials. In other (non-Zarqawi related) developments, the Court acquitted four men charged with plotting attacks against U.S. and Israeli targets in Jordan, citing a lack of evidence. End Summary.

COURT GIVES ZARQAWI TEN DAYS TO "GIVE HIMSELF UP"

12. (U) In an unusual move, Jordan's State Security Court issued a public ultimatum to fugitive Jordanian citizen Ahmad Fadil Nazzal al-Khalaylah (aka Abu Musab al-Zarqawi) to turn himself in to authorities within ten days, according to press reports on November 12. Zarqawi is wanted for his role in numerous plots in Jordan, most recently a plan disrupted in April that targeted Jordanian government sites as well as Embassy Amman (ref A). Zarqawi was sentenced to death for his role in the assassination of USAID official Laurence Foley in October 2002. If Zarqawi fails to comply, Judge Bqour threatened that his "funds will be placed under the government's control" and Zarqawi would be "banned from disposing... funds and banned from filing... lawsuits. Any move or commitment (Zarqawi makes) will be regarded as null and void." (Note: The Judge appears to be playing to the gallery, as the GOJ has already ordered frozen any funds linked to the Zarqawi network. End note.)

ZARQAWI FINANCIER SENTENCED, ANOTHER COHORT INDICTED

13. (U) The State Security Court on October 31 sentenced Bilal Mansour Hiyari to six months in prison for collecting funds for Zarqawi to support armed insurgency in Iraq (ref B). However, the Court dismissed charges of conspiracy to carry out terrorist activities in Jordan, citing a lack of evidence. In the verdict, Judge Bqour noted that the defendant met Zarqawi in Iraq in 2003 and agreed to collect money for Zarqawi's militant activities, but that: "The defendant returned to Jordan without seeking to conduct any military operations that would threaten the security and stability of Jordan." According to the prosecution, upon his return to Jordan, he met one of Zarqawi's aides in Amman and gave him \$3,000 to buy a car for Zarqawi in Iraq.

14. (U) Hiyari had pleaded not guilty to the charges, and denied knowing Zarqawi or having links with him, but his lawyer described the verdict as just and an indication of the "impartial judiciary system in Jordan." The lawyer told press that his client was to be released that day because he had already served the 6-month period in jail.

15. (U) After Hiyari's trial concluded, the judge indicted Miqdad al-Dabbas, who had been called as a witness in Hiyari's case, according to press reports, charging him with conspiring to carry out terrorist operations. The prosecution says he had past contact with Zarqawi in Iraq where they planned to attack Jordanian targets in Iraq. Dabbas allegedly was a fifth year engineering student in Iraq before his arrest and transfer to Jordanian custody.

COURT AFFIRMS SENTENCE FOR ZARQAWI NEPHEW...

16. (U) The Court of Cassation upheld the State Security Court's verdict in May against Zarqawi's nephew Omar al-Khalaylah and two cohorts for plotting terrorist attacks in Jordan (ref C). Khalaylah, Hamza Momeni, and Ayman Khawaldeh were sentenced to three years hard labor for plotting to attack U.S. and Israeli tourists in northern Jordan.

...WHILE ANOTHER NEPHEW SAID ARRESTED

17. (U) A press report quoting Zarqawi's family on November 17 indicated that Jordanian security services had arrested one of Zarqawi's nephews, Muhammad al-Harahishah over one month ago on the Jordanian-Syrian border en route to infiltrating Iraq to join Zarqawi's group. The family said it was discreet about the arrest because the Jordanian authorities promised the family to release Harahishah.

(NON-ZARQAWI) ANTI-US PLOTTERS ACQUITTED

18. (U) In one of the few terrorism-related cases pending that does not involve Zarqawi, the State Security Court on November 8 acquitted four men (dubbed the "Obedience and Compliance" group by local press) of charges that they plotted subversive attacks against U.S. and Israeli target in the Kingdom (ref D). However, the court sentenced them each to one year in prison for possessing an unlicensed machine gun.

19. (U) According to the prosecution, the Zarqa residents, who used to drink alcohol and go out with women, in 2003 "became committed religiously to repent their sins and decided to launch military attacks against Americans and Israelis in Jordan." Among the targets they considered were American forces in Azraq and Ruweished. However, the defense produced convincing "evidence" that lead to their acquittal, including public statements by King Abdullah and the PM from July 2003 that there were no U.S. forces operating on Jordanian territory. "The court reached a conclusion that it is impossible for this crime to occur because these troops did not exist in the first place," the judge said. The defendants' attorney told press that the verdict was "good and just," and said the three, who have been detained since December 31, 2003, were expected to be released on November 8 "because they have already spent the prison term."

COMMENT

110. (C) Judge Bqour's gesture appears intended to warn ordinary Jordanians that the state is on the lookout for even small-scale financial support for the Zarqawi network, and will act against it.

111. (U) Baghdad minimize considered.

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